

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

WILLIAM ALLEN MEANS,
Plaintiff,

v.

Civil Action No.: 2:20-561

**E.M. PETERSON and
D. HARVEY,**
Defendants.

**MOTION TO WITHDRAW
DEFENDANT'S EMERGENCY MOTION FOR PROTECTIVE ORDER AND/OR STAY**

COMES NOW the Defendants, E.M. Peterson and D. Harvey, by counsel, Duane J. Ruggier II, Evan S. Olds, and the law firm of Pullin, Fowler, Flanagan, Brown & Poe, PLLC, and hereby move the Court to allow or cause Defendants' previously filed *Emergency Motion for Protective Order and/or Stay*¹ to be withdrawn. Upon information and belief, the investigation referred to in said *Emergency Motion* has concluded. Accordingly, Defendants represent to the Court that the hearing scheduled for Monday, April 5, 2021, may, in the Court's discretion, be cancelled.

**E.M. PETERSON, D. HARVEY, and
THE CITY OF SOUTH CHARLESTON**

By Counsel,

/s/ Duane J. Ruggier II
DUANE J. RUGGIER II (WVSB #7787)
EVAN S. OLDS (WVSB #12311)

**PULLIN, FOWLER, FLANAGAN,
BROWN & POE, PLLC**
JamesMark Building
901 Quarrier Street
Charleston, West Virginia 25301
304-344-0100

¹ ECF No. 43.

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CERTIFICATE OF SERVICE

The undersigned counsel for the Defendants, Defendants, E.M. Peterson and D. Harvey, do hereby certify that a true copy of the foregoing ***“DEFENDANTS’ MOTION TO WITHDRAW DEFENDANT’S EMERGENCY MOTION FOR PROTECTIVE ORDER AND/OR STAY*** same in an envelope, properly addressed with postage fully paid and depositing the same in the U.S. Mail, on this the 2nd day of April, 2021.

L. Dante’ diTrapano, Esq.
Alex McClaughlin, Esq.
Benjamin D. Adams, Esq.
Calwell Luce diTrapano PLLC
500 Randolph Street
Charleston, West Virginia 25302
Counsel for Plaintiff

W. Jesse Forbes, Esq.
Forbes Law Firm, PLLC
1118 Kanawha Boulevard, East
Charleston, West Virginia 25301
Co-Counsel for Plaintiff

/s/Duane J. Ruggier II
DUANE J. RUGGIER II (WVSB #7787)
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